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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,257	05/02/2001	Naohiro Isshiki	B422-148	6909
26272	7590	01/27/2006	EXAMINER	
COWAN LIEBOWITZ & LATMAN P.C. JOHN J TORRENTE 1133 AVE OF THE AMERICAS NEW YORK, NY 10036			LAU, TUNG S	
		ART UNIT	PAPER NUMBER	
			2863	

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/847,257	ISSHIKI, NAOHIRO
	Examiner Tung S. Lau	Art Unit 2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11 January 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2 and 5-7 is/are rejected.
- 7) Claim(s) 3 and 4 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

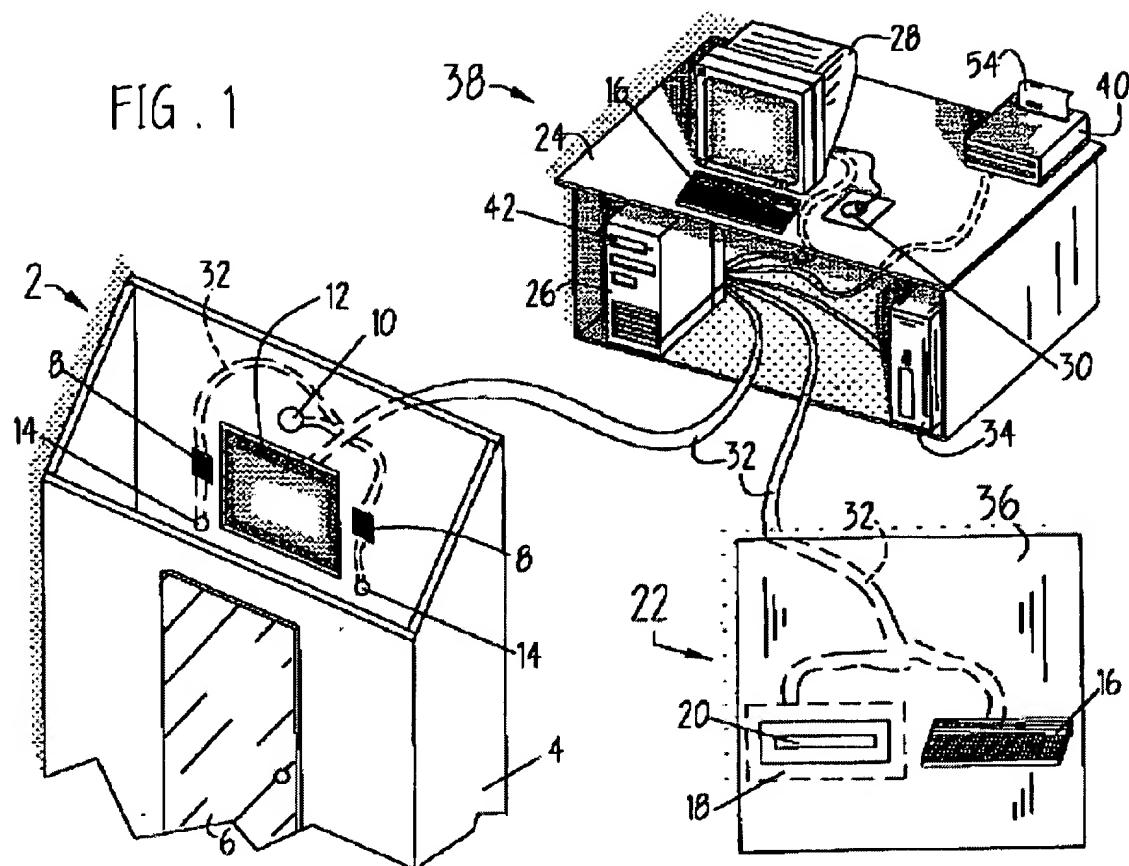
A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, and 5-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Pena (U.S. Patent 6,292,211).

Regarding claim 1:

Pena discloses a data processing apparatus for effecting a predetermined process with respect to another data processing apparatus, comprising: a recognition unit for recognizing a money account function of another data processing apparatus (Col. 5-6, Lines 55-65); a decision unit for deciding whether said data processing apparatus is to effect a money account process for a first process by said data processing apparatus and for a second process by said another data processing apparatus (Col. 5-6, Lines 55-65); in the case where said recognition unit recognizes that said another data processing apparatus does not have the account function (Col. 3, Lines 38-67); and a control unit for controlling execution of the money process in accordance with the decision by said decision unit (Col. 5-6, Lines 55-65).



Regarding claim 5:

Pena discloses a data processing apparatus comprising: a processing portion for effecting a predetermined process with respect to another data processing apparatus (Col. 5-6, Lines 55-65); an information portion for informing said another data processing apparatus that the data processing apparatus has the money account function, so that said another data processing apparatus does not execute the money account process for the predetermined process (Col. 3, Lines 38-67); and a money account portion for executing the money account process for a first process by said data processing apparatus and for a second

process by said another data processing apparatus in order to execute the predetermined process after the information by said information portion (Col. 5-6, Lines 55-65).

Regarding claim 6:

Pena discloses a method for controlling a data processing apparatus for effecting a predetermined process with respect to another data processing apparatus, comprising: recognizing a money account function of the another data processing apparatus (Col. 5-6, Lines 55-65); deciding that said data processing apparatus is to effect a money account process for a first process by said data processing apparatus and for a second process by said another data processing apparatus (Col. 5-6, Lines 55-65), in the case where said recognition step recognizes that said another data processing apparatus does not have the account function (Col. 3, Lines 38-67); and controlling execution of the account process in accordance with the decision by said decision unit (Col. 5-6, Lines 55-65).

Regarding claim 7:

Pena discloses a method for controlling a data processing apparatus comprising: effecting a predetermined process with respect to another data processing apparatus (Col. 5-6, Lines 55-65); informing said another data process apparatus that the data processing apparatus has the money account function (Col. 5-6, Lines 55-65), so that said another data processing apparatus does not execute the money account process for the predetermined process (Col. 5-6, Lines 55-65); and executing the money account process for a first process by said data

processing apparatus and for a second process by said another data processing apparatus in order to execute the predetermined process after the informing. by said informing step (Col. 5-6, Lines 55-65).

Regarding claim 2, Pena further discloses decision what effects the decision on a basis of information received from another data processing apparatus (Col. 5-6, Lines 55-65).

Allowable Subject Matter

2. Claims 3 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitation of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: prior art fail to teach regarding to claims 3 and 4: the money account process is based on at least one part of information regarding the number of images read by the data processing apparatus, monochromatic reading, color reading, the number of sheets to be printed by said another data processing apparatus, monochromatic printing and color printing.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

3. Applicant's arguments with respect to the amended claims have been considered but are moot in view of the new ground(s) of rejection. However, applicant's arguments filed 01/11/2006 have been fully considered but they are not persuasive.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung S Lau whose telephone number is 571-272-2274. The examiner can normally be reached on M-F 9-5:30. If attempts to

reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone numbers for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TL



John Barlow
Supervisory Patent Examiner
Technology Center 2800